

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Inventor: John Cooper                                       | DECLARATION OF JOHN COOPER IN<br>SUPPORT OF SECOND RENEWED<br>PETITION UNDER 37 CFR 1.137(b) |
| Application No.: 10690785   |  |
| Title: Apparatus and Methods for Removing<br>Mercury from Fluid Streams |  |
| Application Filing Date: 10/21/03                                       |  |
| Examiner: DUONG, THANH P  |  |
| Art Unit: 1764  |  |
| Confirmation No.: 5612  |  |

**Mail Stop PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

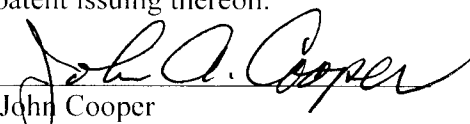
Dear Sir/Madam:

1. My name is John Cooper. I am over 18 years of age, and I have personal knowledge of the facts and events as stated below.
2. I am currently the president of Cooper Environmental Services, LLC (CES), the assignee of the application identified above (the '785 Application), and I have been president of CES since the '785 Application was filed. I am also an inventor of the subject matter claimed in the '785 Application. CES has been the assignee of the entire interest in the '785 Application since the application was filed, and CES has had the right to control prosecution of the '785 Application during that time. Thus, CES would have been the party having the right to reply to avoid abandonment of the '785 Application on January 6, 2005.
3. I would have been the contact person at CES that CES's patent attorney, Glenn Brown, would have contacted about issues dealing with the '785 Application. I do not recall having any knowledge prior to February 2008 that the '785 Application had been allowed, that it was going to be abandoned, or that it had been abandoned. I do not recall

any communications between myself and Mr. Brown regarding the allowance or abandonment of the '785 Application.

4. Neither I nor CES has ever had any intention to abandon the '785 Application.
5. Neither I nor CES has ever had any intention to delay the revival of the '785 Application.
6. I declare that the above statements made on personal knowledge are true, that all statements made on information and belief are believed to be true, and that the above statements are made with knowledge that making willful, false statements or the like is punishable by fine, imprisonment, or both under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

Date: 12-5-08

  
John Cooper